## SUPREME COURT MINUTES WEDNESDAY, MAY 5, 1999 SAN FRANCISCO, CALIFORNIA

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 5, 1999, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegar, Chin, and Brown.

Officers present: Robert Wandruff, Clerk; Walter Grabowski and Harry Kinney, Bailiffs.

S061215 Cates Construction, Incorporated, et al., Appellants

V.

Talbot Partners et al., Respondents

Cause called. Barry R. Levy argued for Appellant TIG Insurance.

Paul Shoop argued for Respondent Talbot Partners.

Mr. Levy replied.

Cause submitted.

S054561 Oscar Aguilar et al., Respondents

v.

Avis Rent A Car System et al., Appellants

Cause called. Joel P. Kelly argued for Appellant Avis.

Edwin L. Currey, Jr. argued for Respondent Aguilar.

Mr. Kelly replied.

Cause submitted.

S067155 Anthony Letrice Townsel, Petitioner

v.

Madera County Superior Court, Respondent

Bill Lockyer as Attorney General, Real Party in Interest

Cause called. Kate Johnston, Deputy State Public Defender, argued for Petitioner.

Louis M. Vasquez, Supervising Deputy Attorney General, argued for Real Party in Interest.

Ms. Johnston replied.

Cause submitted.

Court recessed until 1:30 p.m. this date

Court reconvened pursuant to recess.

Chief Justice Ronald M. George, not participating in consideration of the following case, did not take the bench.

The Honorable Norman L. Epstein, Court of Appeal, Second Appellate District, Division Four, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S071500 Thomas A. Bockrath, Appellant

V

Aldrich Chemical Company et al., Respondents

Cause called. Raphael Metzger opened argument for Appellant.

Harry Wartnick, appearing for Amicus Curiae Consumer

Attorneys of California, continued argument for Appellant.

Richard K. Willard argued for Respondent Shell Oil Company.

Sanford Svetcov argued for Respondent General Electric.

Ms. Metzger replied.

Cause submitted.

Justice Epstein, not participating in the following matters, departs the bench. The Court is joined at the bench by Chief Justice George. All other officers were present as before shown.

S057834 People, Respondent

V.

Walter Jefferson et al., Appellants

Cause called. Jennifer Mack argued for Appellant Jefferson.

John Steinberg argued for Appellant Brown.

James William Bilderback II, Deputy Attorney General, argued for Respondent.

Ms. Mack replied.

Cause submitted.

S072065 Jose Carrillo, Respondent

v.

ACF Industries, Inc., Appellant

Cause called. Ellis J. Horvitz argued for Appellant.

Jerome L. Ringler argued for Respondent.

Ms. Horvitz replied.

Cause submitted.

Court recessed until 9:00 a.m., Thursday, May 6, 1999.

1st Dist. Dennis T. Mangano, Ph.D., M.D., Petitioner

A086775

Div. 2 San Francisco County Superior Court, Respondent

S078630 Mary Stafford et al., Real Parties in Interest

Application for stay and petition for review DENIED.

3rd Dist. People, Respondent

C027748

V.

v.

S077530 Arthur Rey Miranda, Appellant

Our order of April 28, 1999, denying review is hereby amended nunc pro tunc due to clerical error in the case title. The correct title appears above.

S027730 People, Respondent

v.

Maria Del Rosio Alfaro, Appellant

On the representation by counsel Karen L. Snell that she "fully expect[s], absent any unforseen extraordinary circumstances, to be able to complete the Appellate's Opening Brief for filing with the Court no later than August 31, 1999," the request for extension of time is granted, and appellant's opening brief shall be served and filed on or before June 28, 1999.

S037006 People, Respondent

v.

Michael James Huggins, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 6, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S042224 People, Respondent

v

Tomas Verano Cruz, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 2, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S075342 In re Lucero L., a Person Coming Under the Juvenile Court Law

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San Diego County Health and Human Services Agency, Respondent v.

Otilio L. et al., Appellants

On application of appellant **Yolanda E**. and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including June 3, 1999.

S078573 Edward Lewis Nave, Petitioner

v.

Los Angeles County Superior Court, Respondent People, Real Party in Interest

The above entitled matter is transferred to the Court of Appeal, Second Appellate District.

## SUPREME COURT CALENDAR LOS ANGELES SESSION June 7, 8, and 9, 1999

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on June 7, 8, and 9, 1999.

MONDAY, JUNE 7, 1999 - 9:00 A.M.	
S076784	Bramberg v. Bill Jones as Secretary of State
S066747	Associated Builders and Contractors v. San Francisco Airports
	Commission; San Mateo County Building and Construction Trades
S070960	People v. Kelii
1,20 D.M	
S073975	1:30 P.M. Preferred Risk Mutual Insurance Company v. Reiswig
S054125	People v. Allen
S057126	Scott Company of California v. Blount, Incorporated
5037120	Scott Company of Camorina v. Blount, incorporated
<b>TUESDAY, JUNE 8, 1999 - 9:00 A.M.</b>	
S067115	Vandenberg v. Superior Court, County of Sacramento;
	Centennial Insurance Company
S071999	People v. Ray
S063339	Agnew v. California State Board of Equalization
2 20 D.M	
0042121	2:30 P.M.
S043131	In re Sanders on Habeas Corpus
S064388	People v. Castellanos
WEDNESDAY, JUNE 9, 1999 - 9:00 A.M.	
S044043	People v. Soto
S070177	White v. Ultramar Incorporated
S074181	People v. Weiss
1:30 P.M.	
S072212	Sierra Club v. San Joaquin Local Agency Formation Commission;
3072212	Califia Development Group
S064081	People v. Nguyen
S071633	Norgart v. Upjohn Company
50/1055	1101gate 1. Opjoint Company
<u>GEORGE</u>	

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.

Chief Justice